

Regular Session, 2010

HOUSE BILL NO. 493

BY REPRESENTATIVE CONNICK

PUBLIC SFTY/DEPARTMENT: Transfers the Crescent City Connection police from DOTD to DPS&C

1 AN ACT

2 To amend and reenact R.S. 11:62(5)(f) and 441(F), and R.S. 47:820.5.2(F)(7), to enact R.S.  
3 36:408(B)(4) and R.S. 40:1379.9, and to repeal R.S. 35:408 and R.S. 48:1101.1,  
4 relative to the Crescent City Connection police; to provide for the transfer of the  
5 Crescent City Connection police from the Department of Transportation and  
6 Development to the Department of Public Safety and Corrections, public safety  
7 services; to provide for termination of the Crescent City Connection Police; and to  
8 provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 11:62(5)(f) and 441(F) are hereby amended and reenacted to read as  
11 follows:

12 §62. Employee contribution rates established

13 Employee contributions to state and statewide public retirement systems shall  
14 be paid at the following rates:

15 \* \* \*

16 (5) Louisiana State Employees' Retirement System:

17 \* \* \*

18 (f) ~~Bridge Police~~ Crescent City Connection Police - 8.5% for those  
19 employees eligible for the benefit provided by R.S. 11:441(F).

20 \* \* \*

## §441. Eligibility for retirement

\* \* \*

F.(1) Notwithstanding the provisions of Subsection A of this Section or any other provision of law to the contrary, employees of the ~~bridge police section of the Crescent City Connection Division~~ police of the Department of ~~Transportation and Development~~ Public Safety and Corrections who are members of the system shall be eligible for retirement at any age upon attaining twenty-five or more years of service credit, at least ten of which were served immediately prior to application for retirement in a position with the ~~bridge police section of the Crescent City Connection Division~~ police of the Department of ~~Transportation and Development~~ Public Safety and Corrections.

(2) Notwithstanding any provision of law to the contrary, members employed by the bridge police section of the Crescent City Connection Division of the Department of Transportation and Development on the effective date of this Paragraph, shall be governed by the provisions of this Subsection.

Section 2. R.S. 36:408(B)(4) is hereby enacted to read as follows:

## §408. Offices; purposes and functions

\* \* \*

B.

\* \* \*

(4) Within the office of state police there shall be the Crescent City Connection Police Force (R.S. 40:1379.9) which shall perform the functions and the duties of the state related to the Crescent City Connection Bridge as provided by law and department rules and regulations.

\* \* \*

Section 3. R.S. 40:1379.9 is hereby enacted to read as follows:

§1379.9. Crescent City Connection police

A. The Crescent City Connection Police is hereby created within the  
Department of Public Safety and Corrections, office of state police. The deputy

1 secretary for public safety services may, at his discretion, appoint, fix salaries of, and  
2 pay bridge police in accordance with Department of State Civil Service regulations.

3 The deputy secretary may make and amend rules and regulations for the conduct,  
4 management, and control of such police.

5 B.(1) Persons hired shall be at least eighteen years of age and of good  
6 character. All persons appointed as police officers under this Section shall complete  
7 and graduate from a training program as approved and accredited as provided in R.S.  
8 40:2401 et seq., entitled: Peace Officer Standards and Training Law. Each police  
9 officer so appointed shall furnish bond in accordance with law in a sum to be fixed  
10 by the secretary. Such bond shall be conditioned on the faithful performance of the  
11 police officer's duties, and any person injured or damaged by such police officer may  
12 sue upon said bond.

13 (2)(a) Crescent City Connection police shall have, under the direction and  
14 control of the secretary, the same powers to make arrests and the power to execute  
15 and return all warrants and processes as sheriffs of the parishes of Jefferson and St.  
16 Bernard and police officers of the city of New Orleans and the cities of Gretna and  
17 Westwego in and upon the Mississippi River Bridge Authority's property occupied  
18 by the Crescent City Connection, the Huey P. Long Bridge, the Westbank  
19 Expressway, and the ferries and the public ways contiguous thereto. Such police  
20 officers, under the same direction and control of the secretary, shall have all other  
21 powers of sheriffs of the parishes of Jefferson and St. Bernard and police officers of  
22 the city of New Orleans and the cities of Gretna and Westwego as peace officers,  
23 in all places and on all premises under the jurisdiction and control of the Crescent  
24 City Connection, the Huey P. Long Bridge, the Westbank Expressway, and the  
25 ferries and the public ways contiguous thereto.

26 (b) Notwithstanding the other provisions of this Subsection, the jurisdiction  
27 of the Crescent City Connection police on the Pontchartrain Expressway shall not  
28 extend beyond the South Broad Street Overpass in the city of New Orleans and the  
29 jurisdiction of the Crescent City Connection police on the Westbank Expressway

1        shall not extend beyond the westernmost convergence of the Westbank Expressway  
2        and U.S. Highway 90; however, the jurisdiction of the Crescent City Connection  
3        police on the westbank of the Mississippi River shall include the area bounded on the  
4        north by General Meyer Avenue, on the south by the Magellan Canal, on the west  
5        by Shirley Drive, and on the east by Pace Boulevard.

6                (c) The Crescent City Connection police shall exercise concurrent police  
7        jurisdiction with the sheriff of the parish of Jefferson and the police chiefs of the  
8        cities of Gretna and Westwego under the provisions of this Section unless the sheriff  
9        of the parish of Jefferson and the police chiefs of the cities of Gretna and Westwego  
10       give written notification that such concurrent police jurisdiction is terminated by that  
11       law enforcement agency as to the exercise of concurrent jurisdiction within its law  
12       enforcement jurisdiction.

13               (3) In an emergency situation, at the request of a sheriff, chief of police,  
14       officer, chief executive officer of any of the above-named municipalities, or the  
15       governing authority of any of the above-named parishes, the Crescent City  
16       Connection police shall have the above-conferred powers throughout the geographic  
17       limits of such parish or city until such time as the requesting authority has certified  
18       that the emergency is over. An emergency situation declared under the provisions  
19       of this Paragraph shall not last more than ten days unless the extension of the  
20       emergency situation is approved by a majority of the legislative delegation  
21       representing Orleans, Jefferson, and St. Bernard Parishes.

22               (4) No person appointed as a police officer pursuant to this Section shall  
23       receive any state supplemental pay.

24               C. Any persons arrested by police officers appointed under this Section and  
25       the return of all warrants or processes served by said officers shall be surrendered or  
26       delivered to the appropriate custodial authorities of the city of New Orleans, the city  
27       of Gretna, the parish of Jefferson, or the parish of St. Bernard provided, however,  
28       that nothing in this Section shall deprive the New Orleans City Police, Gretna City  
29       Police, nor any sheriff or deputy sheriff in the parishes of Orleans, Jefferson, or St.

1 Bernard from making arrests or serving warrants or processes in any such place or  
2 on any such premises.

3           Section 4. R.S. 47:820.5.2(F)(7) is hereby amended and reenacted to read as follows:

#### 4 §820.5.2. Crescent City Connection toll violations

5 \* \*

6 F. The following procedures shall be taken for the collection of tolls,  
7 administrative fees, and late charges under this Section:

8 \* \* \*

(7) These provisions do not apply to traffic citations and moving violations issued by officers of the Crescent City Connection Division ~~Police Department~~ Police Force or other law enforcement personnel.

12 \* \* \*

13           Section 5. R.S. 35:408 and R.S. 48:1101.1 are hereby repealed in their entirety.

14           Section 6. Funding for the Crescent City Connection police, as established in this  
15   Act, within the Department of Public Safety and Corrections shall be transferred from the  
16   Department of Transportation and Development, Crescent City Connection division to the  
17   Department of Public Safety and Corrections, public safety services.

18           Section 7. The Crescent City Connection Police Force, within the office of state  
19   police, as provided for by this Act, shall cease to exist and terminate on December 31, 2012.

## DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Connick

HB No. 493

**Abstract:** Transfers the Crescent City Connection police from DOTD to DPS&C.

Present law provides for the creation and establishment of the Crescent City Connection police within DOTD, Crescent City Connection division.

Proposed law repeals present law and provides for the transfer of the Crescent City Connection police from DOTD to DPS&C, public safety services.

Present law provides that Crescent City Connection police may be appointed as ex officio notaries.

Proposed law repeals present law.

Proposed law provides that funding for the Crescent City Connection police shall be transferred from DOTD to DPS&C.

Proposed law terminates the Crescent City Connection Police, as provided for in the proposed law on Dec. 31, 2012.

Present law provides for the retirement rate for the Bridge Police.

Proposed law changes the present law to the Crescent City Connection Police.

Proposed law makes technical changes in retirement provisions reflecting the transfer of the police to DPS&C from DOTD.

Proposed law provides that the Crescent Connection Police shall continue under the current retirement system, notwithstanding the transfer to DPS&C.

(Amends R.S. 11:62(5)(f) and 441(F) and R.S. 47:820.5.2(F)(7); Adds R.S. 36:408(B)(4) and R.S. 40:1379.9; Repeals R.S. 35:408 and R.S. 48:1101.1)

#### Summary of Amendments Adopted by House

##### House Floor Amendments to the engrossed bill.

1. Terminated the Crescent City Connection Police, as provided for in the proposed law on December 31, 2012.
2. Made technical changes in retirement provisions reflecting the transfer of the CCC police to DPS&C.
3. Required the CCC police to remain in their current retirement system notwithstanding the transfer.